

1 ROBERT W. FREEMAN  
Nevada Bar No. 3062  
2 [Robert.Freeman@lewisbrisbois.com](mailto:Robert.Freeman@lewisbrisbois.com)  
E. MATTHEW FREEMAN  
3 Nevada Bar No. 14198  
[Matt.Freeman@lewisbrisbois.com](mailto:Matt.Freeman@lewisbrisbois.com)  
4 LEWIS BRISBOIS BISGAARD & SMITH LLP  
6385 S. Rainbow Boulevard, Suite 600  
5 Las Vegas, Nevada 89118  
702.893.3383  
6 FAX: 702.893.3789  
*Attorneys for Defendants*

8 NORTH LAS VEGAS CITY ATTORNEY  
MICAELA RUSTIA MOORE  
9 Nevada Bar No. 9676  
City Attorney  
10 [moorem@cityofnorthlasvegas.com](mailto:moorem@cityofnorthlasvegas.com)  
NOEL E. EIDSMORE  
11 Nevada Bar No. 7688  
Chief Deputy City Attorney  
12 [eidsmoren@cityofnorthlasvegas.com](mailto:eidsmoren@cityofnorthlasvegas.com)  
2250 Las Vegas Blvd. North, Suite 810  
13 North Las Vegas, Nevada 89030  
702 633.1050  
14 FAX: 702.649.8879  
*Attorneys for Defendants*

15  
16 UNITED STATES DISTRICT COURT  
17 DISTRICT OF NEVADA, SOUTHERN DIVISION

18 \*\*\*

19 ASHLEY RICE, individually and as special  
20 administrator of the estate of ROBERT  
WENMAN;

21 Plaintiff,

22 vs.

23 CITY OF NORTH LAS VEGAS; CITY OF  
24 NORTH LAS VEGAS POLICE  
DEPARTMENT; ROBERT JAMESON,  
25 individually; DOES 1-10, inclusive,

26 Defendants.

CASE NO. 2:20-CV-1542-JCM-DJA

**STIPULATION AND ORDER TO  
EXTEND DISCOVERY DEADLINES**

**[THIRD REQUEST]**

**STIPULATION AND ORDER TO EXTEND DISCOVERY  
DEADLINES -[THIRD REQUEST]**

Pursuant to LR 6-1 and LR 26-3, the parties, by and through their respective counsel of record, hereby stipulate and request that this Court extend discovery in the above-captioned case ninety-one (91) days, up to and including Monday, February 21, 2022. In addition, the parties request that the all other future deadlines contemplated by the Discovery Plan and Scheduling Order be extended pursuant to Local Rule. In support of this Stipulation and Request, the parties state as follows:

1. On August 20, 2020 Plaintiff filed her Complaint in the United States District Court.
2. On October 26, 2020, Defendant filed its Answer to the Complaint.
3. Plaintiff served her Initial and Supplemental Document and Witness Disclosures on November 18, 2020.
4. Defendant served its Initial Document and Witness Disclosures on November 18, 2020.
5. On December 23, 2020 Plaintiff served written discovery on Defendants. Defendants' served their responses on April 5, 2021.
6. On January 20, 2021, Robert W. Freeman, Esq. filed his Notice of Association of Counsel.
7. On January 22, 2021 Plaintiffs filed their First Amended Complaint. Defendants filed their Answer on April 19, 2021.
8. On April 5, 2021, Defendants served their First Supplement to Document and Witness Disclosures.
9. On May 10, 2021, Plaintiff served her second set of written discovery on all Defendants. Defendants served responses to written discovery to Defendant Jameson on July 23, 2021. The remaining Defendants' responses are due on August 6, 2021.
10. On May 27, 2021 Defendants' served written discovery on the plaintiff. The

1 responses were served on July 9, 2021.

2 11. On June 2, 2021, Plaintiff served her third set of written discovery on Defendants.  
3 Defendants' responses are due on August 6, 2021.

4 12. On June 25, 2021, Defendants served their Second Supplement to Document and  
5 Witness Disclosures.

6 13. On July 9, 2021 Plaintiffs' served their Third Supplemental Disclosures Pursuant to  
7 FED. R. CIV. P. Rule 26(a)(1)(A).

8 DISCOVERY REMAINING

- 9 1. The parties will continue participating in written discovery.  
10 2. Defendant will take the deposition of Plaintiff.  
11 3. Plaintiff will take the deposition of the Defendants.  
12 4. Plaintiff will take the deposition of Defendant's Person Most Knowledgeable.  
13 5. The parties may take the depositions of any and all other witnesses garnered  
14 through discovery.

15 **WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED**

16 The parties aver, pursuant to Local Rule 26-3, that good cause exists for the following  
17 requested extension. This Request for an extension of time is not sought for any improper purpose  
18 or other purpose of delay. Rather, it is sought by the parties solely for the purpose of allowing  
19 sufficient time to conduct discovery.

20 The parties seek additional time to complete discovery for several reasons, including but  
21 not limited to the fact that this is a complex matter involving claims of wrongful death, violations  
22 of the fourth and fourteenth amendments, among other claims. In addition, as described in further  
23 detail below, Defendants have been tasked with responding to voluminous written discovery  
24 requests.

25 To date, Plaintiff has propounded four (4) sets of Requests for Production on Defendant  
26 CNLVPD, consisting of 299 requests; likewise, Plaintiff propounded four (4) sets of Requests for  
27 Admission on Defendant CNLVPD, consisting of 232 requests; Plaintiff also propounded nine (9)  
28 individual Interrogatories to CNLVPD.

In addition to the individual requests to Defendant CNLVPD, Plaintiff has propounded several sets of written discovery requests on the named Defendant Officers including, 4 Interrogatories, 92 Requests for Admission, and 38 Requests for Production to Defendant Jameson; 50 Requests for Admission and 35 Requests for Production to Defendant Lee; 4 Interrogatories and 49 Requests for Admission to Defendant Suranowitz; 4 Interrogatories and 62 Requests for Admission to Defendant Taylor; 4 Interrogatories, 42 Requests for Admission, and 6 Requests for Production to Defendant Lawrence; and 4 Interrogatories and 45 Requests for Admission to Defendant Brucken. In total, Plaintiff has propounded 979 individual written discovery requests upon Defendants.

Once the written discovery has been responded to the parties will begin taking depositions in this matter.

The reasons for this request are not for an improper purpose or for the purpose of delay.

Extension or Modification of The Discovery Plan and Scheduling Order. LR 26-3 governs modifications or extension of the Discovery Plan and Scheduling Order. Any stipulation or motion to extend or modify that Discovery Plan and Scheduling Order must be made no later than twenty-one (21) days before the expiration of the subject deadline and must comply fully with LR 26-3.

This is the third request for extension of time in this matter. The parties respectfully submit that the reasons set forth above constitute compelling reasons for the short extension.

The following is a list of the current discovery deadlines and the parties' proposed extended deadlines:

Scheduled Event	Current Deadline	<del>Proposed</del> Deadline
Discovery Cut-off	<i>Monday, November 22, 2021</i>	<i>Monday, February 21, 2022</i>
Deadline to Amend Pleadings or Add Parties	Closed	Closed
Expert Disclosure pursuant to FRCP26 (a)(2)	<i>Tuesday, September 21, 2021</i>	<i>Thursday, December 23, 2021</i>

Scheduled Event	Current Deadline	Proposed Deadline
Rebuttal Expert Disclosure pursuant to FRCP. 26(a)(2)	Thursday, October 21, 2021	Friday, January 20, 2022
Dispositive Motions	Wednesday, December 22, 2021	Wednesday, March 23, 2022
Joint Pretrial Order	Friday, January 21, 2022	Friday, April 22, 2022

WHEREFORE, the parties respectfully request that this Court extend the discovery period by ninety-one (91) days from the current deadline of November 22, 2021 up to and including February 21, 2021, and the other dates as outlined in accordance with the table above.

DATED this 28<sup>th</sup> day of July, 2021.

DATED this 28<sup>th</sup> day of July, 2021.

LEWIS BRISBOIS BISGAARD & SMITH

PETER GOLDSTEIN LAW CORP

/s/ Robert W. Freeman

/s/ Peter Goldstein

Robert W. Freeman, Esq.  
Nevada Bar No. 3062  
E. Matthew Freeman, Esq.  
Nevada Bar No. 14198  
6385 S. Rainbow Blvd, Suite 600  
Las Vegas, Nevada 89118  
*Attorney for Defendants*

Peter Goldstein, Esq.  
Nevada Bar No. 6992  
10161 Park Run Drive, Suite 150  
Las Vegas, Nevada 89145  
*Attorney for Plaintiff*

### ORDER

**IT IS SO ORDERED:**

DATED this 29th day of July 2021.



UNITED STATES MAGISTRATE JUDGE